



THE ATTORNEY GENERAL
OF TEXAS

JIM MATTON
ATTORNEY GENERAL

November 12, 1990

Mr. John R. Neel
General Counsel
State Purchasing and General
Services Commission
P.O. Box 13047
Austin, Texas 78711-3047

OR90-540

Dear Mr. Neel:


You ask whether certain information is subject to required public disclosure under the Texas Open Records Act, article 6252-17a, V.T.C.S. Your request was assigned ID# 9519.

The State Purchasing and General Services Commission received an open records request for certain information pertaining to Bellsouth Communication Systems, Inc., and sought the opinion of this office, pursuant to section 7(c) of the Open Records Act, as to whether the requested information should be withheld. This office subsequently invited representatives of Bellsouth to submit additional legal arguments regarding the proprietary nature of the requested information.

In its response, Bellsouth provided marked copies of the requested information showing the information that Bellsouth considers proprietary. Bellsouth contends that the information thus marked constitutes trade secrets and therefore comes under the protection of section 3(a)(10) of the Open Records Act. As Bellsouth's response is sufficient to establish a prima facie case that the marked information constitutes its trade secrets, you must withhold that portion of the requested information. The balance of the requested information must be released. See Open Records Decision No. 552 (1990).

Because case law and prior published open records decisions resolve your request, we are resolving this matter with this informal letter ruling rather than with a published open records decision. If you have questions about this ruling, please refer to OR90-540.

Yours very truly,



John Steiner
Assistant Attorney General
Opinion Committee

JS/le

Ref.: ID# 9519, 10939

Enclosures: Documents submitted

cc: Winston W. Burks, III
Corporate Counsel
Bellsouth Communication Systems, Inc.
P.O. Box 5455
Roanoke, Virginia 24012